

# SENATE BILL NO. 1001

## 94TH GENERAL ASSEMBLY

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INTRODUCED BY SENATORS JUSTUS, WILSON AND CALLAHAN.

Read 1st time January 22, 2008, and ordered printed.

TERRY L. SPIELER, Secretary.

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### AN ACT

To amend chapter 311, RSMo, by adding thereto one new section relating to liquor licenses for certain festival districts.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Chapter 311, RSMo, is amended by adding thereto one new  
2 section, to be known as section 311.489, to read as follows:

311.489. 1. A permit for the sale of intoxicating liquor as defined  
2 in section 311.020, and nonintoxicating beer as defined in section  
3 312.010, RSMo, for consumption on premises where sold may be issued  
4 to any festival district, located in any home rule city with more than  
5 four hundred thousand inhabitants and located in more than one  
6 county, that includes three or more businesses that are licensed bars,  
7 nightclubs, restaurants, or other entertainment venues and a common  
8 area that is closed to vehicle traffic, provided that the permit is held  
9 by a promotional association. A "promotional association" is defined as  
10 an entity formed by property owners who own or operate fifty percent  
11 or more of the square feet of bars, nightclubs, restaurants, and other  
12 entertainment venues located within the proposed district.

13 2. The promotional association may obtain a permit if the  
14 promotional association submits a plan to the governing body of the  
15 city containing basic information, which includes the legal description  
16 of the district, the name and address of each business participating in  
17 the promotional association, the intended calendar of events for the  
18 district, a description of the proposed festival activities, proof of  
19 adequate insurance, and a description of security for any proposed  
20 festivals. Such permit shall cost three hundred dollars per year. Such  
21 plan may be amended during the year subject to governing  
22 municipality approval.

23 3. If the plan is approved, the promotional association may sell

24 liquor for consumption within the district common areas between 9:00  
25 a.m. and 1:00 a.m. on Monday through Saturday and between 11:00 a.m.  
26 and 12:00 a.m. on Sunday. However, if a promotional association is  
27 issued a license to sell intoxicating liquor under section 311.096, a  
28 festival district permit may allow for the conducting of sales within the  
29 hours of operation designated by such license. Such promotional  
30 association may permit customers to leave an establishment within the  
31 district after purchasing an alcoholic beverage and consume the  
32 beverage in the district common areas or another licensed  
33 establishment within the district. No person shall be allowed to take  
34 any alcoholic beverage outside the boundaries of the festival district.

35 4. If participating in a promotional association event, every bar,  
36 nightclub, restaurant, promotional association, or other entertainment  
37 venue that serves alcoholic beverages within the festival district shall  
38 use disposable paper, plastic, or foam cups or other light-weight  
39 containers for all alcoholic beverages that the bar, nightclub,  
40 restaurant, promotional association, or other entertainment venue sells  
41 within the festival district boundaries for consumption in the district  
42 common area.

43 5. If minors are allowed to enter the festival district, the  
44 applicant shall ensure that such minors are easily distinguished from  
45 persons of legal age.

46 6. The holder of the permit is solely responsible for any alcohol  
47 violations occurring within the common areas. For any violation of this  
48 chapter or of any rule or regulation of the supervisor of alcohol and  
49 tobacco control, the promotional association may be assessed a civil  
50 fine of not more than five thousand dollars. If a promotional  
51 association is found to be responsible for such violations at three  
52 separate events, then such promotional association shall not seek  
53 approval for subsequent plans without the prior written consent of the  
54 supervisor of alcohol and tobacco control. The promotional  
55 association's then current plan shall be deemed terminated, and the  
56 businesses participating in the promotional association's events shall  
57 not participate in activities permitted by subsection 3 of this section  
58 without prior written consent from the supervisor of alcohol and  
59 tobacco control.

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